

Application No.: 10/522,565
Filing Date: June 20, 2005

REMARKS

In response to the restriction requirement set forth in the communication, Applicant elects to prosecute Group I, Claims 1-15.

In response to the election of species requirement, Applicants elect the compound of Formula Ic on page 20 of US Patent Publication No. 20050239688, where R¹ is defined as NH-peptide and R² is H. Claims 1-15 reads upon the elected species.

The species election is made with traverse. As the Examiner will recognize, the practice of the claimed method is not limited to a single compound. R¹, R², R³, R⁴, R⁵, R⁶, R⁷, R⁸, R⁹, and R¹⁰ may be substituted with alternate substituents as set forth in the claims and one skilled in the art would reasonably expect the claimed method to proceed as described. It would be unduly limiting for Applicants to be limited to a single species as one skilled in the art could easily avoid infringement of the claim by substitution with alternative substituents which are described by Applicants. Reconsideration of the species restriction is respectfully requested.

This election is made without prejudice or disclaimer. Applicant reserves the right to pursue the remaining claims in a divisional application.

Conclusion

Should there be any questions concerning this application, the Examiner is invited to contact the undersigned agent at the telephone number appearing below. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Oct 25, 2007

By: Che Chereskin
Che Swyden Chereskin
Registration No. 41,466
Agent of Record
(949) 721-6385
Customer No. 20,995